

## Message Text

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ACTION SCA-01

INFO OCT-01 SS-14 ISO-00 ARA-06 PRS-01 NSC-05 NSCE-00  
DHA-02 INR-05 SSO-00 INRE-00 H-01 L-01 SNM-01  
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-----281821Z 118875 /40  
O 281615Z MAY 77  
FM AMEMBASSY LA PAZ  
TO SECSTATE WASHDC IMMEDIATE 5534

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E.O. 11652: N/A  
TAGS: CGEN, PER, SNAR CASC, BL  
SUBJECT: PRESS ARTICLE ON CONSOFFS AND ARREST CASES

REF: STATE 122164

1. I DEEPLY APPRECIATE THE INVITATION BY THE DEPT  
TO OFFER COMMENTS AND SUGGESTIONS REGARDING THE  
NEWS ARTICLE BY JACK ANDERSON WHICH HAS BEEN PICKED  
UP IN ADVANCE OF PUBLICATION. I URGE DEPT TO TAKE  
INITIATIVE IN NOON PRESS BRIEFING THE DAY AFTER THE  
ANDERSON ARTICLE APPEARS TO DEFEND THE ROLE OF  
CONSULAR OFFICERS IN RELATIONSHIP TO AMERICAN JAILS  
OVERSEAS. I RECOMMEND THAT THE DEPT MAKE A STATEMENT  
OR PLANT A QUESTION SO THAT SOMETHING GETS ON THE PUBLIC  
RECORD CLARIFYING WHAT CONSULS CAN AND CAN'T DO, WHAT  
CAN REASONABLY EXPECTED OF THEM AND WHAT ARE UNREASONABLE  
DEMANDS.

2. TO A CONSIDERABLE EXTENT THE ANDERSON ARTICLE  
REFLECTS THE OPINON OF PARENTS AND RELATIVES OF PRISONERS  
THAT CONSULS SHOULD GET THEM OUT OF JAIL. IF THE PRISONER  
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IS BEING DETAINED BY BOLIVIAN COURTS, THE AMERICAN CONSUL  
IS NOT ABLE TO GET THEM OUT. THE DEPARTMENT HAS STATED  
THIS PUBLICLY IN BULLETINS AND IN INTRUCTIONS FOR YEARS.  
I THEREFORE REQUEST THAT THE DEPT SPOKESMAN REPEAT THE RULES  
OF THE GAME IN DEFENSE OF THE FOREIGN SERVICE IN GENERAL  
AND OF THE CONSULS ATTACKED IN PARTICULAR.

3. WITH REGARD TO CONSUL ED MILBURN IN LA PAZ, THE REMARK THAT HE BRUSHES OFF REQUESTS FOR HELP IS JUST NOT TRUE. IN AN EARLIER ARTICLE PUT OUT BY THE AP, MRS. ABRAHAMS IS REPORTED TO HAVE SAID THAT WHEN MR. MILBURN WAS ASKED TO HELP HER SON BRUCE, WHO IS JAILED IN COCHABAMBA, HE SAID "WHAT'S THE RUSH. HE'S GOING TO BE PUT AWAY FOR TWENTY YEARS". THIS IS NOT TRUE. MR. MILBURN IS A PROFESSIONAL CONSULAR OFFICER, VERY PERSONABLE, WELL-LIKED BY OUR ENTIRE COMMUNITY, HAS A JOLLY SENSE OF HUMOR, IS A KIND AND COMPASSIONATE MAN. HE HAS BEEN THE ONLY CONSULAR OFFICER AT THIS POST UNTIL JANUARY 1977. THE DEPT APPROVED MY RECOMMENDATION FOR A SECOND POSITION IN EARLY 1976 BUT DID NOT FILL THE SLOT UNTIL THIS YEAR. WHEN I ASKED FOR A TDY REPLACEMENT FOR MILBURN SO THAT HE COULD TAKE HIS STATUTORY HOME LEAVE IN THE SUMMER OF 1976, MY REQUEST WAS TURNED DOWN. I HAD TO TAKE OFFICER OUT OF OUR REDUCED POLITICAL/ECONOMIC SECTION. MILBURN HAS CONTINUED TO PERFORM HIS STATUTORY REQUIREMENTS FOR AN INCREASING WORKLOAD OF VISITORS VISAS, IMMIGRANT VISAS, PASSPORT AND OTHER CITIZEN SERVICES. HE HAS SUPERVISED OUR CONSULAR AGENT IN SANTA CRUZ. WE HAVE NO REPRESENTATION IN COCHABAMABA WHERE THERE ARE NOW FOUR PRISONERS AND, THEREFORE HE HAS HAD TO TRAVEL TO COCHABAMABA AND SANTA CRUZ FROM TIME TO TIME TAKING TIME AWAY FROM HIS DUTIES IN LA PAZ. DURING ONE OF HIS TRIPS TO COCHABAMBA I DIRECTED HIM TO SANTA CRUZ SO THAT HE COULD PROVIDE IMMEDIATE EMERGENCY ASSISTANCE FOLLOWING THE TRAGIC CRASH OF AN AMERICAN REGISTERED AND OPERATED 707 CARGO AIRCRAFT WHICH CRASHED AFTER TAKE-OFF KILLING THE AMERICAN LIMITED OFFICIAL USE

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CREW, BURNING AND KILLING MORE THAN 100 BOLIVIANS ON THE GROUND. HIS WORK AMONG THE VICTIMS WAS HEROIC. SINCE THE ENACTMENT OF THE NEW NARCOTIC LAW PRISONERS AND THEIR ATTORNEYS WERE AWAITING BECAUSE OF POSSIBLE REDUCTION OF MANDATORY SENTENCES, HE HAS ORCHESTRATED A MASS ATTACK ON THE ARCHAIC, CONGESTED COURT SYSTEM WHICH IS BASED ON ENTIRELY DIFFERENT LEGAL PRINCIPLES THAN THOSE IN THE U.S. DETENTION, NOT BAIL IS THE LAW. HE HAS COORDINATED THE NEWLY ARRIVED, WILLING BUT TOTALLY INEXPERIENCED VICE CONSUL, TWO ATTORNEYS WHICH THE EMBASSY WAS AUTHORIZED TO HIRE AFTER MY DIRECT PERSONAL REQUEST FOR FUNDS, TRANSLATORS, AND INDEED THE PRISONERS DEFENSE LAWYERS, TOO IN MOVING FOR MORE FREQUENT HEARINGS WITHIN THE LENGTHY AND COMPLICATED TRIAL PERIOD. ALL PRISONERS ARE NOW IN THE TRIAL PHASE AND ALL HAVE HAD MORE HEARINGS AFTER MR. MILBRUN'S EFFORTS OF THE COURTS IN THE PAST FEW MONTHS THAN HAVE EVER BEEN HELD BEFORE. VISITS ARE MADE WEEKLY TO THE PRISONERS. MILBURN IS TIRELESS IN CHASING DOWN DETAILS

IN CASES, MOVING FILES FROM JUDGES TO FISCALS AND BACK.  
HE HAS BEEN IN DIRECT CONTACT WITH EVERY OFFICIAL WHO HAS  
ANY RESPONSIBILITY ON THESE CASES. AS A DIRECT RESULT  
OF HIS EFFORTS AND THOSE WHOM HE GUIDES - ONE PRISONER HAS  
BEEN FREED, FOUR HAVE RECEIVED MODERATE SENTENCES,  
TWO HAVE BEEN TRANSFERRED TO A REHABILITATION CLINIC.  
SEVERAL CASES ARE NOW IN THEIR FINAL STAGES AWAITING  
SENTENCES.

4. AS TO CONDITIONS IN THE JAILS, THE BOLIVIANS  
ADMIT THAT THEY ARE BAD. U.S. PRISONERS' SITUATION  
IS RELATIVELY WORSE THAN BOLIVIANS WHO HAVE FAMILIES TO  
PROVIDE FOOD AND SUCCOR. HOWEVER THE U.S. PRISONERS HAVE  
MONEY WHICH EASES THEIR PLIGHT. MISTREATMENT AFTER IM-  
PRISONMENT HAS OCCURED VERY RARELY. THE DEPT MAY WISH TO  
MAKE CLEAR PUBLICLY THAT THERE ARE NO AUTHORIZED AND  
APPROPRIATED MONIES FOR WELFARE OF AMERICANS IMPRISONED  
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ABROAD. THE CONSULS DO WHAT THEY CAN. IN SOME CITIES  
THERE ARE ONLY A FEW AMERICAN BUSINESSMEN SUCH AS THE  
CASE IN LA PAZ, COCHABAMABA, AND SANTA CRUZ WHO CAN BE  
ASKED TO PROVIDE FUNDS OR PRODUCTS TO HELP THE PRISONERS.  
BUT THERE ARE MISSIONARIES AND INTERESTED MEMBERS OF THE  
EMBASSY STAFF WHO VISIT THEM AND OFFER HELP. SO THE PRISONERS ARE  
NOT ABANDONED EITHER BY THE CONSUL OR BY THE AMERICAN  
COMMUNITY, BUT THERE ARE NO U. . FUNDS FOR EMERGENCIES  
OR LONG TERM WELFARE, INCLUDING MEDICAL AND DENTAL CARE.

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DHA-01 INR-05 SSO-00 INRE-00 H-01 L-01 SNM-02  
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5. THE AMERICAN CONSUL IN LA PAZ HAS MORE SUCCESS THAN THE BRITISH CONSUL IN ARRANGING DEPORTATIONS WHICH OCCUR WHILE ALLEGED OFFENDERS ARE IN POLICE CUSTODY, SINCE THERE ARE MORE AMERICANS TRAVELING IN BOLIVIA AND WHO BECOME INVOLVED. AFTER A PERSON IS TURNED OVER TO THE COURTS FOR PROCESSING, THE BRITISH CONSUL AND THE AMERICAN CONSUL CONFRONT THE SAME OBSTACLES. MANY BENEFITS RUN TO BRITISH PRISONERS FROM U.S. EFFORTS. A BRITISH SUBJECT WAS SENTENCED TO 10 YEARS IN 1976 FOR POSSESSION OF A FEW MARIJUANA CIGARETTES. HIS SENTENCE WAS REDUCED TO TWO YEARS AFTER THE NEW LAW WAS ENACTED. THE NEW PROVISION RESULTED FROM EXTENSIVE DISCUSSIONS BY THE U.S. EMBASSY WITH GOB.

6. I DO NOT WISH TO HAVE THE DEPT BECOME ENGAGED IN A PUBLIC DEBATE WITH THE PARENTS, THE PRESS OR THE CONGRESS, BUT I BELIEVE THAT AS MATTERS NOW STAND THOSE WHO WISH TO HAVE THEIR RELATIVES IMMEDIATELY RELEASED HAVE THE UPPER HAND IN THE PUBLIC MIND. THE IMPRESSION IS BEING CREATED THAT THE CONSULS ARE NOT GETTING THEIR RELATIVES OUT OF JAIL THROUGH THEIR INDIFFERENCE, INCOMPETENCE, LACK OF WILL OR A COMBINATION OF ALL. I NOTE THAT THE LIMITED OFFICIAL USE

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PARENTS GROUP PUSHING FOR AMNESTY OR DEPORTATION OF THE PRISONERS HELD IN BOLIVIA REFER TO THE PRISONERS AS "CHILDREN", THE AVERAGE AGE IS SLIGHTLY OVER THIRTY. THE MOST RECENTLY ARRESTED HAVE BEEN DIRECTLY INVOLVED WITH MULTI-KILO COURIER AND TRAFFICKING EFFORTS. THE PARENTS OFTEN NOTE THAT SOME OF THE PRISONERS HAD NO NARCOTICS IN THEIR POSSESSION. DEPT MAY WISH TO STATE THAT IT IS NOT NECESSARY TO BE IN POSSESSION OF A DRUG TO BE CHARGED WITH CONSPIRACY TO TRAFFIC.

7. IN ADDITION TO MY DESIRE THAT THE DEPT DEFEND THE CONSULAR OFFICERS FROM UNJUST PRESS ATTACK, I WISH TO MAKE CLEAR THAT THIS MISSION AT ALL LEVELS WILL CONTINUE TO DO EVERYTHING IT CAN TO MOVE THE BOLIVIAN JUDICIAL PROCESS. SLOWNESS OR FAILURE ARE NOT ATTRIBUTABLE TO ANY LACK OF EFFORT, INDIFFERENCE, OR INCOMPETENCE ON OUR PART. I DO HOPE DEPT WILL HELP STRAIGHTEN OUT THE MOST UNFORTUNATE IMPRESSIONS BEING LEFT WITH THE AMERICAN PUBLIC. I BELIEVE THAT SUCH AN INITIATIVE MIGHT HEAD OFF, DAMPEN DOWN, OR HELP WITH ANY CONGRESSIONAL INVESTIGATION WHICH IS FREQUENTLY BEING REPORTED AS A LIKELY NEXT STEP, EITHER REGARDING

THE BOLIVIAN SITUATION OR ON PRISONERS IN GENERAL. SUCH A DEFENSE  
WILL CERTAINLY HELP THE MORALE OF THE FOREIGN SERVICE  
PERSONNEL WORKING ON CONSULAR AFFAIRS AND WILL HELP ANY  
WHO MIGHT SUBSEQUENTLY BE CALLED TO TESTIFY BEFORE  
CONGRESSIONAL COMMITTEES. I BELIEVE IT IS IMPORTANT THAT  
THE AMERICAN PUBLIC KNOW THAT THE DEPT IS BACKING UP ITS  
OFFICERS ON THE FIRING LINE OVERSEAS. WHO ARE DOING ALL THEY  
POSSIBLY CAN TO RESOLVE THESE CASES AND TO PROTECT THE  
PRISONERS.  
STEDMAN

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